

Notice of Allowability	Application No.	Applicant(s)	
	10/029,818	BRETT, JOYCE	
	Examiner	Art Unit	
	Kathryne W Michtel	3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 4/28/2006.
2. The allowed claim(s) is/are 1.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____ .
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ . 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
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Examiner's Amendment and Reasons for Allowance

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. The application has been amended as follows:

The title has been changed to reflect that apparatus claims were cancelled and only method claims remain.

TITLE:

3. The title of the invention has been changed to: --Method of Arranging for a Jewelry Display on an Adhesive Bandage--

4. The following is an examiner's statement of reasons for allowance:

The claims to the apparatus were cancelled on 7/18/2003 and the only claim pending is for a method of arranging for a jewelry display on a person, not the jewelry display itself. Per the decision by the Board of Patent Appeals and Interferences, the method of arranging for a jewelry display on a person, including the step of applying a second adhesive, **when in a viscous state**, to the vent holes of surface of an adhesive bandage such that the viscous adhesive flows into said vented openings to enhance the gripping engagement of said second adhesive to said bandage surface. The prior art Amen-Ra teaches the use of "various adhesives known in the art which will not dissolve the polymeric substrate and which will act to secure the rhinestones or other materials to the upper surface of the substrate in a secure manner" but does not teach that the

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adhesive is necessarily in a viscous state. The prior art Vesey "discloses that the adhesive material for the decorative elements is a pressure sensitive adhesive and teaches....applying the adhesive to the release strip, evaporating the volatiles from the adhesive emulsion in an oven and laminating a plasticized polyvinyl chloride film (the substrate) to the adhesive to form a release paper-adhesive laminate which is then printed on the face of the substrate opposite the adhesive with a decorative pattern which is then cured. Following curing, the sheet containing the decorative patterns is kiss-scored in registration with the pattern on the laminate. The adhesive stickers can then be removed from the release paper and secured to the display surface of the bandage. " which also fails to read on the step of applying adhesive when in a viscous state. Thus the method claim having the limitation that the adhesive is applied when in a viscous state to the vent holes of an adhesive bandage is patentable over the prior art of record.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine W. Mitchell whose telephone number is 571-272-7069. The examiner can normally be reached on Mon - Thurs 10 AM - 8 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kwm
5/2/2006

Kathryne W Michel
Primary Examiner
Art Unit 3677

